



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Summary CITY COUNCIL

R. Steve Tumlin, Mayor
Annette Paige Lewis, Ward 1
Griffin "Grif" L. Chalfant, Jr., Ward 2
Johnny Sinclair, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony C. Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, January 12, 2011

7:00 PM

Council Chamber

- * **20110002** **Regular Meeting - December 8, 2010**

Review and approval of the December 8, 2010 regular meeting minutes.

Approved

- * **20110003** **Special Meeting - December 11, 2010**

Review and approval of the December 11, 2010 special meeting minutes.

Approved

- * **20110010** **Mayor Pro tem**

Appointment of Mayor Pro tem for a term of one year expiring on January 11, 2012.

Appointment of John V. Sinclair as Mayor Pro tem for a term of one year expiring on January 11, 2012

Approved

- * **20110011** **Presiding Officer**

Appointment of Presiding Officer for a term of one year expiring on January 11, 2012.

Appointment of Ivan Alan Pearlberg as Presiding Officer for a term of one year expiring on January 11, 2012.

Approved

* **20110012 Economic/Community Development Committee**

Appointment of the Economic/Community Development Committee for a term of one year expiring on January 11, 2012.

Appointment of the Economic/Community Development Committee: Griffin Lee Chalfant, Jr., as Chairman, John V. Sinclair and Rev. Anthony Coleman for a term of one year expiring on January 11, 2012.

Approved

* **20110013 Finance/Investments Committee**

Appointment of the Finance/Investments Committee for a term of one year expiring on January 11, 2012.

Appointment of the Finance/Investments Committee: Annette Paige Lewis as Chairman, James W. King and Philip M. Goldstein for a term of one year expiring on January 11, 2012.

Approved

* **20110014 Judicial/Legislative Committee**

Appointment of the Judicial/Legislative Committee for a term of one year expiring on January 11, 2012.

Appointment of the Judicial/Legislative Committee: Philip M. Goldstein as Chairman, James W. King and Ivan Alan Pearlberg for a term of one year expiring on January 11, 2012.

Approved

* **20110015 Parks, Recreation & Tourism Committee**

Appointment of the Parks, Recreation and Tourism Committee for a term of one year expiring on January 11, 2012.

Appointment of the Parks, Recreation and Tourism Committee: John V. Sinclair as Chairman, Annette Paige Lewis and Rev. Anthony Coleman for a term of one year expiring on January 11, 2012.

Approved

* **20110016 Personnel/Insurance Committee**

Appointment of the Personnel/Insurance Committee for a term of one year expiring on January 11, 2012.

Appointment of the Personnel/Insurance Committee: Ivan Alan Pearlberg as Chairman, Philip M. Goldstein and Griffin Lee Chalfant, Jr. for a term of one year expiring on January 11, 2012.

Approved

* **20110017 Public Safety Committee**

Appointment of the Public Safety Committee for a term of one year expiring on January 11, 2012.

Appointment of the Public Safety Committee: Rev. Anthony Coleman as Chairman, Ivan Alan Pearlberg and John V. Sinclair for a term of one year expiring on January 11, 2012.

Approved

* **20110018 Public Works Committee**

Appointment of the Public Works Committee for a term of one year expiring on January 11, 2012.

Appointment of the Public Works Committee: James W. King as Chairman, Griffin Lee Chalfant, Jr., and Annette Paige Lewis for a term of one year expiring on January 11, 2012.

Approved

* **20110019 BLW Council Representative**

Appointment of the Board of Lights and Water (BLW) representative for a term of one year expiring on January 11, 2012.

Appointment of Rev. Anthony Coleman as the Board of Lights and Water (BLW) representative for a term of one year expiring on January 11, 2012.

Approved

* **20110020 Marietta Board of Education Council Liaison**

Appointment of the Marietta Board of Education liaison for a one year term expiring on January 11, 2012.

Appointment of Annette Paige Lewis as the Marietta Board of Education liaison for a one year term expiring on January 11, 2012.

Approved

- * **20110021** **Marietta Housing Authority Council Liaison**
- Appointment of the Marietta Housing Authority liaison for a term of one year expiring on January 11, 2012.
- Appointment of Griffin Lee Chalfant, Jr., as the Marietta Housing Authority liaison for a term of one year expiring on January 11, 2012.*
- Approved**
- * **20110046** **Pension Board Appointment**
- Appointment of Annette Lewis, (Post 3) to the Pension Board for the remainder of his duly elected term of office to succeed Councilman Sinclair upon his resignation from this position.
- Approved**
- * **20110047** **Council Liaison Appointments**
- Approval of additional council liaison appointments as designated:
Higher Education (Life, Southern Poly, Chattahoochee) - Griffin L. Chalfant, Jr.
Wellstar/Medical Community - Ivan Alan Pearlberg
Lockheed/Military - James W. King
Faith Based Community - Rev. Anthony Coleman
Chamber/Marietta Division - Philip M. Goldstein
Student Leadership Councils - Annette Paige Lewis
Green Tech Corridor - John V. Sinclair
School Governance Teams (SGT) for Marietta High School - Philip M. Goldstein
- Approved**
- * **20101246** **Marietta Museum of History Appointments**
- Approval of Board recommendation to appoint Robert Ormsby and Elva Dornbusch to the Board of Directors for three-year terms expiring October 31, 2013.
- Approved**
- * **20101276** **Planning Commission Appointment**
- Appointment of Donald A. Gillis to the Planning Commission (Ward 4) for a three-year term, expiring January 14, 2014.
- Approved**

* **20101355** **Cobb County Board of Health and Cobb County Community Services Board**

Appointment of Wyman Pilcher to the Cobb County Board of Health and Cobb County Community Services Board for a six (6) year term.

Approved

* **20110008** **Cobb Housing, Inc. (CHI)**

Appointment of Annette Lewis to the Cobb Housing, Inc. (CHI) Board of Directors for a one year term expiring on January 2012.

Approved

* **20110009** **Cobb Municipal Association 2011 Delegates**

Appointment of Grif Chalfant and Philip M. Goldstein to serve as the 2011 voting delegates for the Cobb Municipal Association (CMA) business meetings.

Approved

20101328 **Z2011-01 Amanda S. Kirk 1395 Cobb Parkway North**

Z2011-01 [REZONING] THE WILLIAM W. SCOGIN, JR. FAMILY INVESTMENTS, LLLP (AMANDA S. KIRK) request rezoning for property located in Land Lot 09340, District 16, Parcel 0250, 2nd Section, Marietta, Cobb County, Georgia and being known as 1395 Cobb Parkway North from CRC (Community Retail Commercial) to CRC with additional use (Community Retail Commercial with additional use). Ward 4.

Recessed until a called Council Meeting at the end of the month

20101329 **Z2011-02 Petroleum Realty V, LLC (David Malone) 1912 Lower Roswell Road (a/k/a 1944 Lower Roswell Road)**

Z2011-02 [REZONING] DAVID MALONE request rezoning for property located in Land Lot 12060, District 16, Parcel 0080, 2nd Section, Marietta, Cobb County, Georgia and being known as 1912 Lower Roswell Road from GC [General Commercial (County)] to CRC [Community Retail Commercial (City)]. Ward 6.

Recessed until a called Council Meeting at the end of the month

20101330 A2011-01 Petroleum Realty V, LLC (David Malone) 1912 Lower Roswell Road (a/k/a 1944 Lower Roswell Road)

A2011-01 [ANNEXATION] PETROLEUM REALTY V, LLC request annexation for property located in Land Lot 12060, District 16, Parcel 0080, and being known as 1912 Lower Roswell Road (a/k/a 1944 Lower Roswell Road), 2nd Section, Cobb County, Georgia consisting of .86 acres. Ward 6.

Recessed until a called Council Meeting at the end of the month

20101331 CA2011-01 David Malone 1912 Lower Roswell Road (a/k/a 1944 Lower Roswell Road)

CA2011-01 [CODE AMENDMENT] DAVID MALONE in conjunction with the requested annexation of property located in Land Lot 12060, District 16, Parcel 0080, 2nd Section, Marietta, Cobb County, Georgia, the City of Marietta proposes to designate the Future Land Use of said property as CAC (Community Activity Center). Ward 6.

Recessed until a called Council Meeting at the end of the month

20101189 Z2010-12 MRW Properties, LLC 313 Marble Mill Road

Z2010-12 [SPECIAL LAND USE PERMIT] MRW PROPERTIES request a Special Land Use Permit for property located in Land Lot 1005, District 16, Parcel 0280, 2nd Section, Marietta, Cobb County, Georgia and being known as 313 Marble Mill Road in order to operate a vehicle towing company at this location. The property is currently zoned HI (Heavy Industrial). Ward 5.

Recessed until a called Council Meeting at the end of the month

*** 20110027 Denial of Claim**

Denial of claim of Ina Marie Bryant and Lawton Lonnie Bryant.

Approved

*** 20110007 Final Order - Frank Bradford v. City of Marietta**

Motion to approve Final Order in the case of Frank Bradford v. City of Marietta.

Approved

* **20101338** **Finance/Tax division expenses increased from collecting back taxes**

Approval of an Ordinance amending the Fiscal Year 2011 General Fund budget to appropriate increased reimbursement revenue from back taxes to cover the cost of collection agency expenses.

Approved

* **20101258** **Parades and Demonstrations**

Approval of an Ordinance amending Part 9-8 of the Code of Marietta, to update time limits to apply for permits, and streamline guidelines to facilitate better traffic flow around special events.

Approved

* **20101268** **Fee Chart**

Motion approving proposed changes to the City Fee Chart.

Approved

* **20101346** **St. Joseph's Catholic Church**

Motion to amend a previously approved zoning condition for St. Joseph's Catholic Church located in Land Lot 10860, District 16, Parcels 0010, 0460, 0370, 0220, 0230, 0240, 0450, 2nd Section, Marietta, Cobb County, Georgia and being known as 589 Campbell Hill Street, 555 Sugar Hill Drive, 558 St. Joseph Way, 95 Lacy Street, 570 Nancy Street, 574 Nancy Street and 543 Sugar Hill Drive.

The previous condition, which stated, "Variance to allow use of an unpaved parking lot for a period of two (2) years" shall be granted a two (2) year extension. Further, if St. Joseph's Church cannot pave the lot within the next two years, they will cease to use the lot. (See attached letter dated November 2, 2010 from James W. Friedewald to Mr. Rusty Roth, City of Marietta Department of Developmental Services.)

All other conditions and variances approved in conjunction with the approval to rezone the property and approval of the Special Land Use Permit on March 11, 2009, shall remain in full force and effect.

Approved

* **20101252 Personal Care Homes and Assisted Living Facilities**

Approval of an Ordinance amending the Comprehensive Development Code of the City of Marietta, Division 708.01 (B), Division 708.02 (B), Division 708.03 (B), Division 708.04 (B), Division 712.02 (B) and Division 724.02, regarding group homes and personal care homes.

Recessed until a called Council Meeting at the end of the month

20101352 Proposed business license requirements

Approval of an Ordinance related to the licensing of pain clinics within the City of Marietta.

Approved as Amended

* **20101344 2011 Street Closure Requests**

Motion approving the closure of various streets throughout 2011 to accommodate the Glover Park Concert Series, Taste of Marietta, May-retta Daze, 97.1 Wing and Rock Fest, Juneteenth, Fourth in the Park Parade and Festival, Labor Day Fine Art Show (Art in the Park), Antique Street Festival, Marietta Reads, Harvest Square Arts and Crafts Show/Halloween Happenings, MUST Ministries Gobble Jog, and the Marietta Farmer's Market and, approving city sanctioning of the 97.1 Wing and Rock Fest.

Approved

* **20101349 Consolidated Pension Plan and Supplemental Pension Plan**

Discussion regarding proposed changes to the Consolidated Pension Plan and the Supplemental Pension Plan of the City of Marietta/BLW to comply with federal requirements.

Approved

* **20101308 Standard Operating Procedures**

Motion approving revisions to the Police Department Standard Operating Procedures A019 Risk Analysis, A030 Code of Conduct, A036 Ride Along Program, A044 Uniforms, Equipment & Departmental Property, A054 Assignments, P010 Patrol Operations, P044 Police Vehicles, S020 Canine Program, S035 Crime & Accident Scenes, T040 Firearms Regulations & Qualifications, T050 Training.

Approved

* **20101233 Allgood Road Mid-Block Pedestrian Crossing**

Motion authorizing Public Works to install two mid-block pedestrian crossings on Allgood Road at Allgood Elementary.

Approved

20101354 V2011-01 Burnt Hickory, LLC (William R. Candler) 800 Whitlock Avenue

Motion to approve the following variances for property located in Land Lot 12240, District 16, Parcel 0560 and being known as 800 Whitlock Avenue:

1. Variance to reduce the required street trees along Whitlock from 16 to 12 [Section 712.08 Table G];
2. Variance to allow four (4) Crape Myrtle trees to be allowed to remain in planter islands. Crape Myrtle trees are not included in the list of acceptable tree species [Section 712.08(L); Table G].

Recessed until a called Council Meeting at the end of the month

20110006 Mayors' Day 2011

Request to approve travel and training expenses for the Mayor and Council members who wish to attend the Georgia Municipal Association (GMA) Annual Mayors' Day Conference, January 22-24, 2011 in Atlanta, Georgia.

Approved

* **20110004 BLW Actions of January 12, 2011**

Review and approval of the January 12, 2011 actions and minutes of the Marietta Board of Lights and Water.

Approved